

REMARKS

Applicants thank the Examiner for the Examiner's comments, which have greatly assisted Applicants in responding.

5

Claims 1-16 are pending in the present application.

Claim Rejections for Double Patenting

- 10 Claims 1-16 were rejected based on a non-statutory double patenting rejection. The Office Action states that Claims 1-5 of U.S. Patent No. 6,256,664 contain every element of Claims 1-16 of the instant application.

- Applicants respectfully submit that the present application and U.S. Patent No. 15 6,256,664 are commonly owned. A timely filed terminal disclaimer in compliance with 37 CFR 1.321 (c) is hereby submitted for consideration. Applicants respectfully request withdrawal of the rejection and allowance of the Claims.

Claim Rejections under 35 USC 102

20

Claims 1-16 were rejected under 35 USC § 102 (b), as being anticipated by U.S. Patent No. 5,649,186 to Ferguson (hereinafter "Ferguson"). Applicants respectfully submit that Ferguson fails to teach, suggest, or render obvious the present invention as claimed.

25

Independent Claim 1 recites a communication system comprising:

“an advice provider which broadcasts information over a communications medium;
an advice consumer for gathering said broadcast information from said
communications medium; and
a reader associated with said advice consumer for determining relevance of said
5 broadcast information;
wherein said advice consumer is advised of said information only if said information
meets certain predetermined relevance criteria”.

Independent Claim 7 recites a communications method comprising the steps of:
10 “preparing a message at an advice provider location;
broadcasting said message to potential advice consumers anonymously using a
network;
processing said message at an advice consumer location;
determining whether said message is relevant to said advice consumer;
15 wherein said message is broadcast to advice consumers to whom it is relevant
without requiring that said advice consumers divulge their identity or attributes to
said advice provider”.

Independent Claim 8 recites a communications apparatus comprising:
20 “specific units of advice to be shared;
digital documents conveying said advice;
an advice provider for broadcasting said advice in the form of advisories;
an advice consumer for receiving said advisories;
wherein advisories are broadcast over said communications network from said
25 advice provider to said advice consumer; and
a communications protocol for narrowly-focused targeting of said advisories to said

advice consumer by automatically matching advisories with an advice consumer for whom said advisories are relevant".

Independent Claim 15 recites a communications apparatus comprising:

- 5 "an advisory comprising:
- a relevance clause comprising an assertion about the state of an advice consumer computer, its contents, or environment which can be automatically evaluated by comparing said assertion with said advice consumer computer's actual state;
- a message associated with said relevance clause whose suitability for the consumer
- 10 is determined at least partially by the evaluation of said relevance clause;
- a gatherer for assuring that relevance clauses flow into said advice consumer computer from various locations;
- a watcher for evaluating relevance clauses by comparing them with an actual state of an advice consumer environment, and by inspecting properties of said advice
- 15 consumer computer and its environment and checking if these point towards or away from relevance; and
- a notifier for displaying messages to an advice consumer under at least partial guidance of an evaluated relevance clause".

- 20 The Office Action states that Ferguson teaches each and every limitation of the present invention as claimed. Applicants respectfully disagree for the following reasons.

- Ferguson teaches a system and computer-based method for providing a dynamic
- 25 information clipping service, wherein an end user creates a template of topics of interest via a graphical user interface and the template is transmitted to a central site

for processing. See Abstract. At the central site, information relating to a base of knowledge is collected, parsed, indexed and stored in an information repository. The template is then processed by parsing and collecting command-strings relating to the topics of interest found within the parsed template. The information repository is
5 searched and an HTML page is created using the sorted query results. The page is then made available to the end user for viewing.

Ferguson fails to teach or suggest "an advice consumer for gathering said broadcast information from said communications medium; and
10 a reader associated with said advice consumer for determining relevance of said broadcast information;

wherein said advice consumer is advised of said information only if said information meets certain predetermined relevance criteria,"

as claimed in independent Claim 1. (Emphasis added).

15

Ferguson further fails to teach or suggest

"preparing a message at an advice provider location;

broadcasting said message to potential advice consumers anonymously using a network;

20 processing said message at an advice consumer location;

determining whether said message is relevant to said advice consumer,"

as claimed in independent Claim 7. (Emphasis added).

Ferguson also fails to teach or suggest

25 "an advice provider for broadcasting said advice in the form of advisories;

an advice consumer for receiving said advisories;

wherein advisories are broadcast over said communications network from said advice provider to said advice consumer; and

a communications protocol for narrowly-focused targeting of said advisories to said advice consumer by automatically matching advisories with an advice consumer for whom said advisories are relevant,"

as claimed in independent Claim 8. (Emphasis added).

Finally, Ferguson fails to teach or suggest

"a gatherer for assuring that relevance clauses flow into said advice consumer computer from various locations;

a watcher for evaluating relevance clauses by comparing them with an actual state of an advice consumer environment, and by inspecting properties of said advice consumer computer and its environment and checking if these point towards or away from relevance; and

a notifier for displaying messages to an advice consumer under at least partial guidance of an evaluated relevance clause,"

as claimed in independent Claim 15. (Emphasis added).

In light of the previous arguments, Applicants submit that independent Claims 1, 7, 8, and 15 are distinguishable over the cited references and should be allowed. Claims 2-6, 9-14, and 16, dependent directly or indirectly from independent Claims 1, 7, 8, and 15, respectively, are also distinguishable over the cited references and should also be allowed at least for the same reasons as stated above. Thus, Applicants respectfully request withdrawal of the rejections and allowance of the Claims.

25

CONCLUSION

COPY

Based on the foregoing, Applicants consider the claimed invention to be distinguished from the art of record. Accordingly, Applicant earnestly solicits the
5 Examiner's withdrawal of the rejections raised in the above referenced Office Action, such that a Notice of Allowance is forwarded to Applicant, and the present application is therefore allowed to issue as a United States Patent.

The Commissioner is authorized to charge the Terminal Disclaimer fee of \$110.00
10 and any additional fees that may be due, and credit any overpayments to Deposit Account No. 07-1445 (Order No. UNIV0001C). A copy of this sheet is enclosed for accounting purposes.

Respectfully Submitted,

15



Michael Glenn

Reg. No. 30,176

Customer No. 22862